

pursue any potential experts, or to set anything for hearing or for status conferences or otherwise pursue the pending state cases while this action is pending. If the state court presiding over the pending state cases sets any of the cases for hearing or status conference while this action is pending, Babin agrees to promptly inform Netflix of the same by email and through its counsel of record so that the parties may jointly notify the state court of their stipulation and jointly seek to postpone any such hearing or status conference.

3. Babin agrees and stipulates that, while this action is pending, he will not seek to reopen Cause No. 13,731, or pursue or cause to be pursued any new charges under Texas Penal Code § 43.262 relating to the film *Cuties*, such as convening a grand jury or participating in any other grand jury proceedings arising out of or relating to the film *Cuties*.


4. The parties agree and stipulate that before seeking to enforce the terms of this stipulation, they will meet and confer in an effort to resolve the issue before seeking any court intervention consistent with Local Rule CV-7(h).

5. The parties further agree that nothing in this stipulation prevents either side from pursuing their claims or defenses in this action, or otherwise preparing for the Hearing in this matter, such as the filing of additional or amended pleadings, filing motions, seeking discovery (if any), etc.

6. Netflix and Babin agree that this stipulation extends not only to the parties themselves but also to each party's officers, agents, servants, employees, attorneys, and any other persons who are in active concert or participation with any party. Netflix and Babin both represent and agree that all such parties have been apprised of this stipulation and the obligations it imposes to ensure the parties' agreements are met while the action is pending.

Agreed as to form and substance:



On Behalf of Netflix, Inc.

On behalf of Lucas Babin